

State Of California

Business, Transp

Memorandum

Date: October 17, 1994

To: Assistant Commissioner, Staff

From: **DEPARTMENT OF CALIFORNIA HIGHWAY I**
Enforcement Services Division

File No.: 60.11309.A8753.94-222.KBL

Subject: LETTER TO NOTIFY THE FEDERAL HIGHWAY
CALIFORNIA'S DESIGNATION OF ROUTES FO
TRANSPORTATION OF HIGHWAY ROUTE CON
SHIPMENTS OF RADIOACTIVE MATERIALS

The process for implementation of routes for the through transport controlled quantity shipments of radioactive materials in California is complete. The routes will be approved by the Secretary of State on October 19, 1994. However, federal guidelines require that Federal Highway Administration (FHWA) review and approve the routes before they are effective. In order for these routes to be recognized by the federal government, FHWA must be notified pursuant to Section 397.103 Title 49 Code of Federal Regulations (Attachment 1). This section requires the Department to formally notify FHWA of the approved routes by certified mail, return receipt requested. This information has been verified by Ms. Pamela Deadrick, Transportation Specialist, FHWA. A draft of the notification letter is attached for Commissioner Hannigan's signature (Attachment 2). Hazardous Materials Section will forward the letter to FHWA by certified mail, return receipt requested (Attachment 3) as soon as possible.

L. DENNO, Chief

Attachments



Receipt for Certified Mail

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Pamela Deadrick Federal Highway Admin	
Street: Room 3407/HHS-13 400 7th Street SW	
P.O. State and ZIP Code Washington, DC 20590	
Postage	\$.29
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PS Form 3800, March 1993

M e m o r a n d u m

Date: October 17, 1994

To: Assistant Commissioner, Staff

From: **DEPARTMENT OF CALIFORNIA HIGHWAY PATROL**
Enforcement Services Division

File No.: 60.11309.A8753.94-222.KBL

Subject: LETTER TO NOTIFY THE FEDERAL HIGHWAY ADMINISTRATION OF
CALIFORNIA'S DESIGNATION OF ROUTES FOR THE THROUGH
TRANSPORTATION OF HIGHWAY ROUTE CONTROLLED QUANTITY
SHIPMENTS OF RADIOACTIVE MATERIALS

The process for implementation of routes for the through transportation of highway route controlled quantity shipments of radioactive materials in California is complete. The routes will be approved by the Secretary of State on October 19, 1994. However, federal guidelines require that Federal Highway Administration (FHWA) review and approve the routes before they are effective. In order for these routes to be recognized by the federal government, FHWA must be notified pursuant to Section 397.103 Title 49 Code of Federal Regulations (Attachment 1). This section requires the Department to formally notify FHWA of the approved routes by certified mail, return receipt requested. This information has been verified by Ms. Pamela Deadrick, Transportation Specialist, FHWA. A draft of the notification letter is attached for Commissioner Hannigan's signature (Attachment 2). Hazardous Materials Section will forward the letter to FHWA by certified mail, return receipt requested (Attachment 3) as soon as possible.

L. DENNO, Chief

Attachments

ance of the package, file the following information concerning the transportation of each such package with the Associate Administrator for Safety and System Applications, Federal Highway Administration, Attn: Traffic Control Division, HHS-32, room 3419, 400 Seventh Street, SW., Washington, DC 20590-0001:

(1) The route plan required under paragraph (d) of this section, including all required amendments reflecting the routes actually used;

(2) A statement identifying the names and addresses of the shipper, carrier and consignee; and

(3) A copy of the shipping paper or the description of the Class 7 (radioactive) material in the shipment required by 49 CFR 172.202 and 172.203.

§397.103 Requirements for State routing designations.

(a) The State routing agency, as defined in §397.201(c), shall select routes to minimize radiological risk using "Guidelines for Selecting Preferred Highway Routes for Highway Route Controlled Quantity Shipments of Radioactive Materials," or an equivalent routing analysis which adequately considers overall risk to the public. Designations must be preceded by substantive consultation with affected local jurisdictions and with any other affected States to ensure consideration of all impacts and continuity of designated routes.

(b) State routing agencies may designate preferred routes as an alternative to, or in addition to, one or more Interstate System highways, including interstate system bypasses, or Interstate System beltways.

(c) A State-designated route is effective when—

(1) The State gives written notice by certified mail, return receipt requested, to the Associate Administrator for Safety and System Applications, Federal Highway Administration, Attn: Traffic Control Division, HHS-32, Room 3419, Registry of State-designated routes, at the address above; and

(2) Receipt thereof is acknowledged in writing by the Associate Administrator.

(d) Upon request, the Office of Highway Safety, Traffic Control Division, HHS-32, room 3419, at the address above, will provide a list of State-designated preferred routes and a copy of the "Guidelines for Selecting Preferred Highway Routes for Highway Route Controlled Quantity Shipments of Radioactive Materials."

Subpart E—Preemption Procedures

§397.201 Purpose and scope of the procedures.

(a) This subpart prescribes procedures by which:

(1) Any person, including a State, political subdivision thereof, or Indian Tribe, directly affected by any highway routing designation for hazardous materials may apply to the Federal Highway Administration (FHWA) for a determination as to whether that highway routing designation is preempted under section 105(b) or section 112(a)(1) or (a)(2) of the Act (49 App. U.S.C. 1804 and 1811) or regulations issued thereunder; and

(2) A State, political subdivision thereof, or Indian tribe may apply for a waiver of preemption with respect to any highway routing designation that the State, political subdivision thereof, or Indian Tribe acknowledges to be preempted by section 105(b) or section 112 (a)(1) or (a)(2) of the Act or regulations issued thereunder, or that has been determined by a court of competent jurisdiction to be so preempted.

[EDITOR'S NOTE: PLEASE PRINT MAP SIZE AS SHOWN; DO NOT REDUCE.]

New Chapter 6, Article 2.7 (Sections 1158 through 1159) is adopted to read:

Title 13 - California Code of Regulations

Chapter 6. Hazardous Materials

Article 2.7. Routes for the Through Transportation of Highway Route Controlled Quantity Shipments of Radioactive Materials

§ 1158. Applicability.

(a) This article designates the through routes to be used for the transportation of highway route controlled quantity shipments of radioactive materials subject to Section 33000 of the Vehicle Code.

(b) This article shall apply to the transportation of highway route controlled quantity shipments of radioactive materials as defined in Title 49, Code of Federal Regulations. Section 173.403 (1).

Note: Authority cited: Section 33000, Vehicle Code.

§ 1158.1. Designation of Routes.

The highways to be used for transportation of commodities listed in Section 1158 are set forth in Section 1159.

Note: Authority cited: Section 33000, Vehicle Code.

§ 1158.2. Routes Travelled and Stopping.

No person shall drive or permit the driving of any vehicle transporting commodities listed in Section 1158 upon any highway not designated by this article. Deviation from the routes may occur only for the following: necessary pickup and delivery, in route inspections as required by Federal law, necessary rest, fuel or motor vehicle repair stops, or as directed in an emergency by fire or police officials having jurisdiction of the roadway in use.

Note: Authority cited: Section 33000, Vehicle Code.

§ 1158.3. Time of Day and Day of Week Considerations.

Time of day and day of week considerations are deferred to federal regulation currently found in Title 49 Section 177.825 (b) (2). Code of Federal Regulations.

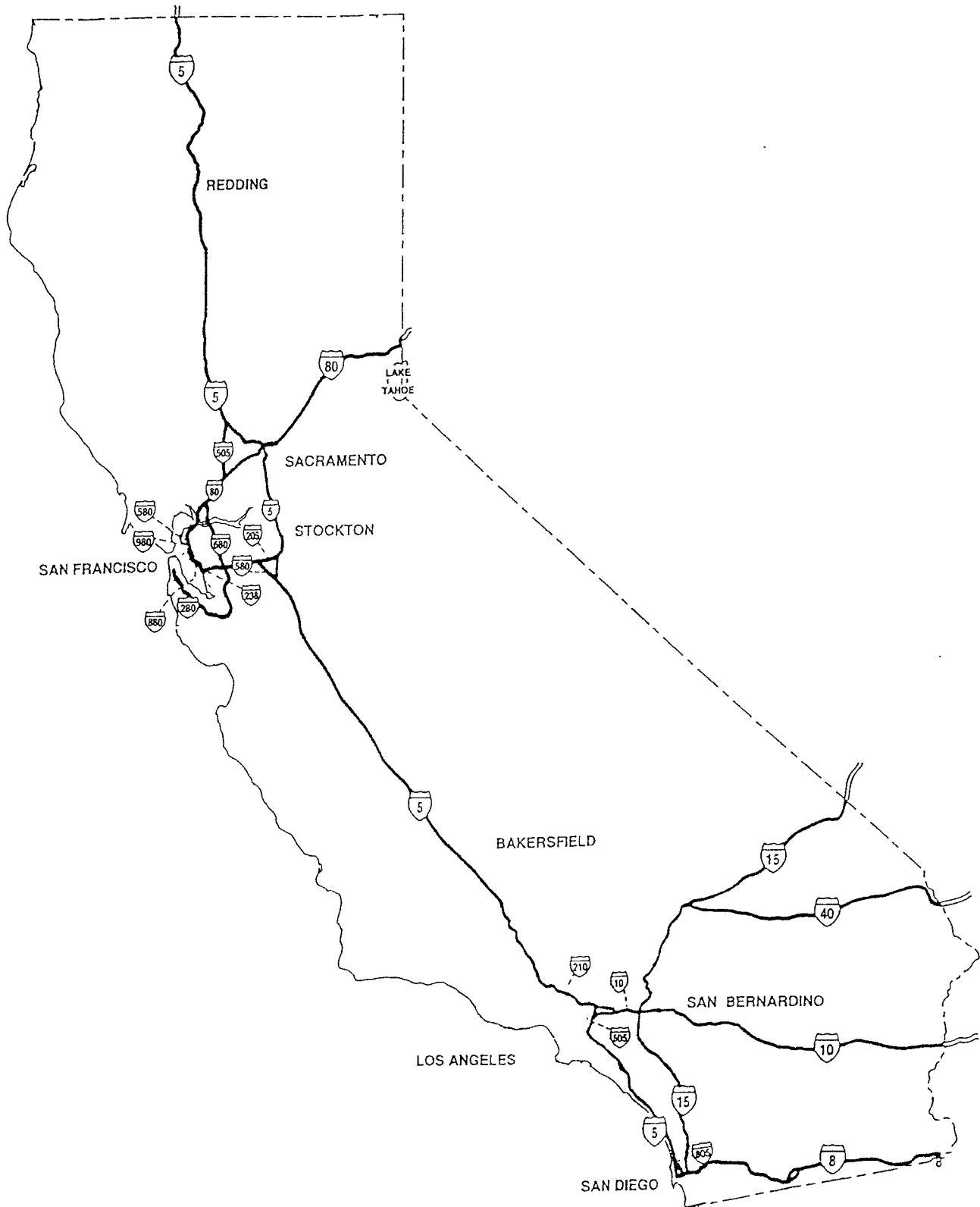
§ 1159. Routes

(a) Narrative listing of routes.

(1) Interstate Highway 5: From the State of Oregon border to Interstate Highway 210 and from Interstate Highway 605 to Interstate Highway 805 and from the border of Mexico to Interstate Highway 805.

- (2) Interstate Highway 8: From the State of Arizona border to Interstate Highway 805.
 - (3) Interstate Highway 10: From the State of Arizona border to Interstate Highway 605.
 - (4) Interstate Highway 15: From the State of Nevada border to Interstate Highway 8.
 - (5) Interstate Highway 40: From the State of Arizona border to Interstate Highway 15.
 - (6) Interstate Highway 80: From the State of Nevada border to Interstate Highway 580
in the City of Oakland
 - (7) Interstate Highway 205: From Interstate Highway 5 to Interstate Highway 580.
 - (8) Interstate Highway 210: From Interstate Highway 5 to Interstate Highway 10.
 - (9) Interstate Highway 238: From Interstate Highway 580 to Interstate Highway 880.
 - (10) Interstate Highway 280: From Interstate Highway 680 to Interstate Highway 380.
 - (11) Interstate Highway 580: From Interstate Highway 5 to Interstate Highway 680.
 - (12) Interstate Highway 605: From Interstate Highway 210 to Interstate Highway 5.
 - (13) Interstate Highway 680: From Interstate Highway 80 to Interstate Highway 280.
 - (14) Interstate Highway 805: From Interstate Highway 5 (north of the City of San
Diego) to Interstate Highway 5 (south of the City of San Diego).
 - (15) Interstate Highway 880: From Interstate Highway 980 to Interstate Highway 238.
 - (16) Interstate Highway 980: From Interstate Highway 580 to Interstate Highway 880.
- Note: Authority cited: Section 33000, Vehicle Code.

(b) Route Map



DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

P. O. Box 942898
Sacramento, California, 94298-0001
(916) 657-7152
(800) 735-2929 (TT/TDD) or
(800) 735-2922 (Voice)



October 17, 1994

File No.: 1.11309.A8753.066.94-222.kbl

Ms. Pamela Deadrick
Transportation Specialist
Federal Highway Administration
Room 3407/HHS-13
400 7th Street SW
Washington, DC 20590

Dear Ms. Deadrick:

Pursuant to Subpart D, Section 397.103, Title 49, Code of Federal Regulations, the State of California respectfully submits the following preferred routes, designated by the California Highway Patrol, for the through transportation of highway route controlled quantity shipments of radioactive materials (enclosed). These preferred routes have been designated in compliance with applicable State and Federal law.

Sincerely,

M. J. HANNIGAN
Commissioner

Enclosure

DEPARTMENT OF
LIFORNIA HIGHWAY PATROL
P.O. BOX 942898
CRAMENTO, CA 94298-0001

SENDER:

- Complete items 1 and/or 2 for additional ser
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

3. Article Addressed to:

MS. PAMELA DEADRICK
FEDERAL HIGHWAY ADMINISTRATION
ROOM 3407/HHS-13
400 7TH STREET SW
WASHINGTON, DC 20590

5. Signature (Addressee)**6. Signature (Agent)****4a. Article Number****4b. Service Type**☐ Registered ☐ Insured☐ Certified ☐ COD☐ Express Mail ☐ Return Receipt for Merchandise**7. Date of Delivery****8. Addressee's Address (Only if requested and fee is paid)**

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address2. ☐ Restricted Delivery

Consult postmaster for fee.

Thank you for using Return Receipt Service.

PS Form 3811, December 1991

U.S. GPO: 1992-323-402

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CALIFORNIA HIGHWAY PATROL
HAZARDOUS MATERIALS SECTION
444 NORTH THIRD STREET, SUITE 310
SACRAMENTO, CA 95814-0227

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